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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,106	04/08/2004	Marko Viitamaki	879A.0023.U1(US)	8992

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HARRINGTON & SMITH, PC  
4 RESEARCH DRIVE  
SHELTON, CT 06484-6212

EXAMINER
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NGUYEN, DAVID Q

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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11/28/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/821,106

Applicant(s)

VIITAMAKI ET AL.

Examiner

David Q. Nguyen

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 38-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 38-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 38-53 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

2. Claims 38, 44 and 50 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 38, 44 and 50 contain the limitation “a second device having a graphical user interface which is arranged to be casted to the second device” which is not described in the specification. The specification only describes: “**UI applications** may be located and run in the core unit and the UI is sent to peripheral device e.g. **GUI bitmap** is compressed and sent via Bluetooth to peripheral device where the **GUI** is first uncompressed and then shown to user on the display of the peripheral device”.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 38,44 and 50 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen (US 2003/0148752 A1).

Regarding claims 38,44 and 50, Chen discloses a device arrangement (see figs. 3-4) comprising a first device of a cellular network (see fig. 3, a cellular phone 1), which device has a transmitter (see fig. 1; par. 0015, base frequency module 11 is a handling and relay unit for signals, which is responsible for inputting and outputting the signals and handling them), a receiver (see fig. 1; par. 0015, base frequency module 11 is a handling and relay unit for signals, which is responsible for inputting and outputting the signals and handling them) and a control unit (see fig. 1 and par. 0015, CPU 112), as well as means for utilizing Bluetooth properties (see par. 0045), and a second device (see fig. 1, Bluetooth device 13) having a graphical user interface (see figs. 3-4, keyboard 2 and pars. 0018-0019) which is arranged to be run in the first device and to be casted to the second device (see figs. 3-4 and abstract) and means for utilizing Bluetooth properties arranged to communicate with the first device by Bluetooth (see figs. 3-4, keyboard 2 and pars. 0018-0020); wherein the activity state of the user interface utilization in the second device is arranged to control the level of the Bluetooth power save mode wherein active user interface utilization is arranged to decrease said level of the power save mode and/or less active user interface utilization is arranged to increase said level of the power save mode (see figs. 3-4, keyboard 2 and pars. 0018-0019).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 39 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (US 2003/0148752 A1) in view of Sundberg (US 2005/0013264 A1).

Regarding claims 39 and 45, the device of Chen does not comprise means for utilizing WLAN properties. However, Sundberg discloses a device comprising means for utilizing WLAN properties (see par. 0009). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teaching of Sundberg to Chen so that the cell phone can access to a WLAN when it roams in WLAN coverage.

5. Claims 40,46 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (US 2003/0148752 A1) in view of Ha et al. (KR 2003012635 A).

Regarding claims 40,46 and 51, Chen does not mention wherein said activity state of the user interface utilization is defined by the state of at least one of the following in the second device: the lock state of a lockable keypad, the lock state of a lockable touch sensitive display, the state of a screensaver, the lock state of a lockable screensaver and the state of a lid or an opening mechanism of the device. However, Ha et al. discloses an activity state of the user interface utilization is defined by the state of at least one of the following in the second device: the lock state of a lockable keypad, the lock state of a lockable touch sensitive display, the state of a screensaver, the lock state of a lockable screensaver and the state of a lid or an opening

mechanism of the device (see abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teaching of Ha et al. to the device of Chen in order to reduce unnecessary current consumption and prevent the outflow of a user profile through the screen.

6. Claims 41-43,47-49 and 52-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (US 2003/0148752 A1) in view of Cadieux et al. (US 2006/0030307 A1).

Regarding claims 41-43,47-49 and 52-54, Chen does not mention wherein said activity state of the user interface utilization is defined by user input on the second device or lack of it for a chosen period of time; wherein said user input is received by one of the following acts on the second device: a touch on a key, keypad or touch sensitive display, opening or closing of a lid or an opening mechanism of the second device, or a specific sound input on the device's microphone or like; wherein said activity state of the user interface utilization is defined by selection or starting of an application using Bluetooth in a menu or like in the second device. However, Cadieux et al disclose wherein said activity state of the user interface utilization is defined by user input on the second device or lack of it for a chosen period of time (see par. 0051-0052); wherein said user input is received by one of the following acts on the second device: a touch on a key, keypad or touch sensitive display, opening or closing of a lid or an opening mechanism of the second device, or a specific sound input on the device's microphone or like (see par. 0046); wherein said activity state of the user interface utilization is defined by selection or starting of an application using Bluetooth in a menu or like in the second device (see par. 0051-0052 and fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teaching of Cadieux et al to the


device of Chen in order to reduce unnecessary current consumption and prevent the outflow of a user profile through the screen.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q. Nguyen whose telephone number is 571-272-7844. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH H. FEILD can be reached on (571)272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
David Q Nguyen  
Examiner  
Art Unit 2617